

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

MELISSA G. KRUMBEIN

Debtor

) **Chapter 7**
)
) **Case: 1:20-BK-12128-BFK**

OPPOSITION TO MOTION TO EXTEND TIME TO OBJECT TO DISCHARGE

Comes now your respondent, by counsel, and respectfully represents as follows:

John P. Fitzgerald , III, Acting US Trustee, has moved for an extension of time to object to the discharge of the debtor.

1. This court has jurisdiction pursuant to 28 U.S.C. § 1334 and this is a core proceeding pursuant to 28 U.S.C. § 157. Venue is properly laid in this district pursuant to 28 U.S.C. § 1391(b) and (c).
2. The debtor commenced this action by filing a Chapter 7 voluntary petition on September 22, 2020.
3. H. Jason Gold was appointed the Chapter 7 Panel Trustee. The meeting of creditors was scheduled and held on October 19, 2020. At that time, the debtor appeared, with counsel, and answered all questions the Chapter 7 trustee or anyone else asked. All documents requested were timely delivered prior to the hearing. The existing deadline to file an objection or motion to dismiss is December 18, 2020.
4. The debtor filed a statement of financial affairs and schedules on October 6.

These were signed under penalty of perjury.

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Counsel for Melissa G. Krumbein

5. The debtor's schedules indicate that her debts are primarily non-consumer, business debts, and that as a result, she need not file a Means Test. The schedules also show that as of the date of the petition she was living in Northern Virginia.
6. Fed.R.Bankr.Proc. 4004(b) provides that the time for filing of a complaint objecting to discharge may be extended. Rule 1017(e) provides for a similar motion for extend the time to file a motion to dismiss may also be extended.
7. The US Trustee has requested additional time, until MARCH 18, an additional 90 days, to investigate the circumstances of the debtor.
8. The US Trustee has also filed a motion for examination under Rule 2004 with request for documents. The debtor, by counsel, has provided most of the documents requested and has sought clarification on what remains. The debtor has made herself available for a 2004 exam in December.
9. Extension of time should be granted absent a showing of bad faith.
10. The US Trustee's request is excessive based on the totality of the circumstances, and the time should be extended to January 29, 2021, approximately 45 days past the current deadline. There is no reason that the US Trustee cannot review documents, ask any necessary question and draft any appropriate motion by the end of January.

WHEREFORE, your respondent respectfully request that the extension be granted through January 29, 2021.

Melissa G. Krumbein

/s/ Robert R. Weed, Esq.

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Certificate of Service

I certify that I served the this Answer, by electronic means through the ECF system on Kristen Eustis, attorney for the US Trustee, on this November 17, 2020.

_____/s/Robert R Weed____

CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing on Kristen S. Eustis, Esq, Trial Attorney Office of the US Trustee and H. Jason Gold, Chapter 7 Trustee, this 17 November 2020 by ECF.

/s/ Robert R. Weed, Esq.
Counsel